

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re.

MANUEL VAIFANUA,
Plaintiff.

Case No. [20-cv-05890-SI](#)

ORDER OF DISMISSAL

Re: Dkt. No. 1

Plaintiff sent to the court a letter complaining about conditions at the Mule Creek State Prison, where he is incarcerated. In an effort to protect his rights, a new action was opened and the letter was filed on August 19, 2020. On that date, Plaintiff was notified that he had not filed a complaint, and was given 28 days to do so or the action would be dismissed. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed *in forma pauperis*, and was given 28 days to either pay the fee or file the application or the action would be dismissed. Plaintiff did not file a complaint and did not file an *in forma pauperis* application or pay the fee. This action therefore is DISMISSED without prejudice for failure to file a pleading showing that the court has subject matter jurisdiction. Plaintiff is now informed that the proper venue in which to file an action complaining about conditions at Mule Creek State Prison is the *Eastern* District of California rather than the *Northern* District of California. The clerk shall close the file.

IT IS SO ORDERED.

Dated: November 5, 2020



SUSAN ILLSTON
United States District Judge